many Members of the Senate say they did not sign the contract, but America signed the contract when they elected us and gave us a majority in both Houses of Congress.

I think these four principles I have outlined embody a reasonable and a flexible approach to living up to what we promised we would do and yet being willing to work with the President in saying: These are our priorities as to how we spend the $12 trillion that can be spent over the next 7 years while still balancing the Federal budget. What are yours? Government must learn to live within the constraint that, quite frankly, families face every month when they sit down around the kitchen table and get out that pencil and piece of paper. Families do not have the luxury of saying, ''Let us assume that something great is going to happen, let us spend additional money.'' They have to negotiate how they are going to spend the income they have available. We should be willing to negotiate with President Clinton on that basis. We should hear the President out in terms of his priorities, but we have a priority that was given as a mandate by the voters in 1994. That mandate and that priority is balance the Federal budget under reasonable and realistic assumptions.

Anybody can balance the budget if you let them make up the assumptions. Any family can live within its budget if they can make up their income. That is not the trick. The real challenge, however, that is faced every night by millions of families sitting around their kitchen tables—which, quite frankly, we do not face here in Washington, and have not faced for 25 years—is how do you do it based on the amount of money you are realistically going to be able to spend? Every day in America, families are making these tough decisions, and they are having to say no to the things they want. They are having to say no because we never say no. They are having to say no to their children because we will not say no to spending more and more money of their money.

I think the time has come for us to say no. I want to say no so families and businesses can say yes again. I want less Government, and more freedom. I want less Government, stronger families, more opportunity, and more freedom. I think the way we get there is to stand up for some very simple principles. We are committed to balancing the budget under realistic assumptions. We have set out what we can spend and still achieve our objective. We will spend no more.

We promised the working people of this country a very small, very modest, very targeted amount of tax relief. It in no way gets working Americans back to where they were 20 years ago, but it is a step in the right direction. It is something we promised and I am not going to back off from it. We can negotiate over how to spend the money, but not how much to spend. And, finally, if in fact we conclude that the assumptions of the budget should be updated, that we should assume a more optimistic future—and I think we can make one by balancing the budget—but if we makes these assumptions, then every penny of savings that comes from those new rosy assumptions should go to deficit reduction. None of it should be spent.

These are the principles I intend to fight for. They are principles I think embody what I fought for in the 1994 election when we elected a Republican majority. They were embodied in the Contract With America. And I think, quite frankly, if we want people to believe politicians mean anything when they say it, then there is one way to achieve this and that is to actually do what you said you would do. I believe that if we stick to these principles we would finally be living up to the commitments that we made. I, for one, intend to do it.

I wanted to go on record today as to what my position is, because I do not want anyone to feel that, while they were away negotiating with President Clinton, somehow it was not clear where I stood. And when this final deal is reached, I do not want anyone to be surprised, if it violates one of these very, simple and, I think, eminently reasonable, principles, if I do not vote for the deal—because I cannot vote for a budget that does not live up to the deal we made first with the American people in 1994.

I yield the floor.

The PRESIDING OFFICER (Mr. SANTORUM). The Senator from Wyoming.

Mr. THOMAS. Mr. President, I ask unanimous consent to proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BALANCED BUDGET

Mr. THOMAS. First, let me congratulate the Senator from Texas on his very strong endorsement of the balanced budget amendment, the thing that has really been, what will be, the capstone of what we have done all year here, that will really make fundamental changes in the direction the Government takes. I admire his strength standing for it.

Mr. President, I send a bill to the desk and ask it be referred appropriately.

The PRESIDING OFFICER. The bill will be received and referred to the appropriate committee.

Mr. THOMAS. I thank the Chair.

(The remarks of Mr. THOMAS pertaining to the introduction of S. 1434 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. THOMAS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SANTORUM). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SAFE DRINKING WATER ACT AMENDMENTS

The Senate continued with the consideration of the bill.

Mr. KEMPTHORNE. Mr. President, in returning to the Safe Drinking Water Act Amendments of 1995, I would like to address a few points.

There has been quite a bit of discussion about the idea of these unfunded Federal mandates that we have had for years. And in fact the Congressional Budget Office pointed out that probably one of the most burdensome, onerous Federal regulations that has been imposed upon local and State government has been the Safe Drinking Water Act Amendments of 1986. The unfunded mandates format for 1995 that was passed earlier this year and signed into law this year by the President's signature does not go into effect until January 1, 1996 and, therefore, this legislation before us today, Senate bill 1316, does not come in under the requirements of the Unfunded Mandate Reform Act of 1995.

As the sponsor of that act which was signed into law, I was determined and absolutely dedicated that we are going to stop unfunded Federal mandates around here and, therefore, as this bill has been developed over 9 months I continually stayed in touch with the Congressional Budget Office. And in fact, I then submitted Senate bill 1316 to the Congressional Budget Office and asked them to please go through this legislation as though the unfunded mandates format were currently law, used all the same criteria, and the tough examination of this legislation. They have done so.

Mr. President, I ask unanimous consent that the letter from the Congressional Budget Office be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 7, 1995.

Hon. JOHN H. CHAFEE,
Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1316, the Safe Drinking Water Act Amendments of 1995.

Enacting S. 1316 would affect both direct spending and receipts; therefore, pay-as-you-go procedures would apply.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

JAMES L. BLUM
(For June E. O'Neill, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: S. 1316.

2. Bill title: Safe Drinking Water Act Amendments of 1995.

3. Bill status: As ordered reported by the Senate Committee on Environment and Public Works on October 24, 1995.

4. Bill purpose: The bill would amend the Safe Drinking Water Act (SDWA) to authorize the Environmental Protection Agency (EPA) to make grants to states for capitalizing state revolving loan funds (SRFs). These SRFs would finance the construction of facilities for the treatment of drinking water. The bill would authorize appropriations of $1 billion annually over the 1996–2003 period for these capitalization grants. In addition, major provisions of the bill would:

Amend the procedures that EPA uses to identify contaminants for regulation under the SDWA;

Allow states to establish an alternative monitoring program for contaminants in drinking water;

Allow operators of small drinking water systems to obtain variances from drinking water standards under certain conditions;

Direct EPA to define treatment technologies that are feasible for small drinking water systems when the agency issues new contaminant regulations;

Require states to ensure that public water systems have the technical expertise and financial resources to implement the SDWA;

Establish a standard for the amount of radon in drinking water;

Authorize appropriations of $100 million annually for state public water system supervision programs (PWSS), $40 million annually for protecting underground drinking water sources, $35 million annually for protecting drinking water wellhead areas, and $35 million annually for assisting small drinking water systems; and

Authorize a loan for capital improvements to the Washington Aqueduct, which is operated by the U.S. Corps of Engineers to provide drinking water to the District of Columbia and parts of Northern Virginia.

5. Estimated cost to the Federal Government: Assuming appropriation of the entire amounts authorized for discretionary programs, enacting S. 1316 would lead to fiscal year 1996 funding for safe drinking water programs about $1.2 billion above the 1995 appropriation. CBO estimates that the bill would authorize appropriations totaling nearly $7 billion over the 1996–2000 period.

The authorization for most of EPA's safe drinking water activities expired in 1991, but the program has been continued through annual appropriations. In 1995 about $166 million was appropriated to EPA for safe drinking work and grants. In addition to this amount, $700 million was appropriated in 1995 and $599 million was appropriated in 1994 for EPA capitalizing grants to safe drinking water state revolving loan funds (SRFs). Spending of these SRF funds was made contingent upon enactment of legislation authorizing safe drinking water SRFs. Public Law 104–19 rescinded all but $225 million of the SRF appropriations.

Enacting S. 1316 would have a small effect on revenues from civil and criminal penalties and on resulting direct spending. Finally, enacting the bill could increase direct spending for the payments of judgments against the federal government resulting from claims made by states under SDWA; however, CBO cannot predict the number or amount of any such judgments that would result from enacting the bill. The estimated budgetary effects of S. 1316 are summarized in the following table.

[By fiscal years, in millions dollars]

	1995	1996	1997	1998	1999	2000
SPENDING SUBJECT TO APPROPRIATIONS						
Spending under current law:						
Budget authority	166	0	0	0	0	0
Estimated outlays	161	66	17	0	0	0
Proposed changes:						
Estimated authorization level	0	1,371	1,386	1,388	1,389	1,391
Estimated outlays	0	257	649	1,045	1,262	1,360
Spending under S. 1316:						
Estimated authorization level	166	1,371	1,386	1,388	1,389	1,391
Estimated outlays	161	323	666	1,045	1,262	1,360
ADDITIONAL REVENUES AND DIRECT SPENDING						
Revenues:						
Estimated revenues		(1)	(1)	(1)	(1)	(1)
Direct spending:[2]						
Estimated budget authority			(1)	(1)	(1)	(1)
Estimated outlays			(1)	(1)	(1)	(1)

[1] Less than $500,000.

[2] The bill also could increase direct spending for judgments against the government, but CBO cannot estimate the amount of any judgment payments that might occur from enacting S. 1316.

The costs of this bill fall within budget function 300.

6. Basis of Estimate: Spending Subject to Appropriations.—For purposes of this estimate, CBO assumes that the bill will be enacted before 1996 appropriations for EPA are provided and that all funds authorized by S. 1316 will be appropriated for each year. Over the 1996–2003 period, the bill would authorize appropriations totalling $10.6 billion, including $8 billion for grants to safe drinking water state revolving loan funds.

In addition to the bill's specified authorization amounts, CBO has estimated that $60 million to $70 million a year would be necessary to pay for activities authorized by the bill without specific dollar authorizations. Estimated costs for these activities are based on information provided by EPA. Estimated outlays are based on historical spending patterns of ongoing EPA drinking water programs and its grant program for waste water treatment state revolving loan funds.

CBO estimates that enacting the bill would require about $55 million annually (at 1996 price levels) to pay for EPA's general oversight and administrative costs for the safe drinking water program. This amount would constitute an increase of about $15 million above EPA's current program costs, principally for administration of the new SRF program. We estimate that no funds would be required for grants to states for the source-water protection programs that would be established under section 17 of the bill because states are unlikely to implement the optional petition programs described in the bill. CBO also estimates a cost of at least $5 million annually over the 1996–2000 period for EPA to prepare the reports on environmental priorities, costs, and benefits that would be required by section 28 of the bill.

CBO believes that the proposed authority for modernizing the Washington Aqueduct should be treated as authority for providing a federal loan to the three localities that receive water from the aqueduct. In effect, the localities are borrowing money from the Treasury to pay for modernizing the aqueduct. Such a loan would be subject to credit reform provisions of the Budget Enforcement Act of 1990. We estimate that this authorization would have no net cost to the federal government because the bill would allow the Secretary of the Treasury to impose loan terms and conditions on the localities involved sufficient to offset any subsidy cost of the loan.

The Army Corps of Engineers estimates that the aqueduct modernization project would cost about $275 million in 1995 dollars and would take seven years to complete. Credit reform requires that the subsidy cost of any loan—estimated as a net present value—be recorded as an outlay in the year that the loan is disbursed. But since the bill would require that the three localities pay interest and any additional amounts necessary to offset the risk of default, the subsidy cost of this loan would be zero. Hence, we estimate that the proposed loan would have no effect on outlays.

Revenues and Direct Spending.—Enactment of this bill would increase governmental receipts from civil and criminal penalties, as well as direct spending from the Crime Victims Fund, but CBO expects that the amounts involved would be insignificant. Any additional amounts deposited into the Crime Victims Fund would be spent in the following year.

In addition, section 22 of the bill would explicitly waive any federal immunity from administrative orders or civil or administrative fines or penalties assessed under SDWA, and would clarify that federal facilities are subject to reasonable service charges assessed in connection with a federal or state program. This provision of SDWA may encourage states to seek to impose fines and penalties on the federal government under SDWA. If federal agencies contest these fines and penalties, it is possible that payments would have to be made from the government's Claims and Judgments Fund, if not otherwise provided from appropriated funds. The Claims and Judgments Fund is a permanent, open-ended appropriation, and any amounts paid from it would be considered direct spending. CBO cannot predict the number of the dollar amount of judgments against the government that could result from enactment of this bill. Further, we cannot determine whether those judgments would be paid from the Claims and Judgments Fund or from appropriated funds.

7. Pay-as-you-go considerations: Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 sets up pay-as-you-go procedures for legislation affecting direct spending or receipts through 1998. Enacting S. 1316 would increase governmental receipts from civil and criminal penalties, and the spending of such penalties; hence, pay-as-you-go provisions would apply. The following table summarizes CBO's estimate of the bill's pay-as-you-go effects.

[By fiscal year, in millions of dollars]

	1996	1997	1998
Change in outlays	0	0	0
Change in receipts	0	0	0

8. Estimated cost to State and local governments: S. 1316 would change the process for setting standards for drinking water contaminants, alter requirements for monitoring and treatment, and create state revolving loan funds to provide low-cost financing for public water systems.

The primary impact of the bill on state and local governments would be to reduce the likely costs of complying with future drinking water regulations. These future regulations would impose significant costs, primarily on local public water systems. The number of severity of these regulations is likely to be less under S. 1316. However, because these regulations are not yet in place, we cannot estimate the magnitude of any savings at this time.

For example, the bill would change the level at which future standards would be set for drinking water contaminants. By allowing EPA to consider the cost of compliance and the extent of the reduction in risks to health when establishing new standards, the bill would allow less stringent standards to be set in some circumstances and would therefore lower the cost of compliance for local water systems. Again, because these regulations are not yet in place, we cannot estimate the magnitude of any savings, although we expect that they would be significant.

The bill also would create some new responsibilities (mostly for states), but CBO expects that the cost of these new responsibilities would likely be far less than the potential savings realized from changing the current standard-setting process and altering current monitoring and treatment requirements. Furthermore, the bill extends the authorization of certain existing appropriations and authorizes the appropriation of additional federal funds to help state and local governments meet compliance costs. In total, the bill would authorize over $9.9 billion in funding for state and local governments over fiscal years 1996 to 2003 and would make available for spending about $225 million that was previously appropriated in fiscal years 1994 and 1995. Assuming the appropriation of these funds, CBO estimates that the bill would likely result in significant net savings to state and local governments.

CHANGES LIKELY TO REDUCE COMPLIANCE COSTS

Standard-setting

The bill would change the procedures for determining permissible levels of contaminants in drinking water in ways that would likely lower compliance costs for public water systems. First, it would rescind the requirement that the EPA Administrator issue rules for 25 drinking water contaminants every three years. No specific number of contaminants would have to be regulated. Although it is possible that with this change EPA would regulate more contaminants than current law dictates, CBO expects that the agency would regulate fewer contaminants than currently required.

Second, the bill would allow EPA to set the maximum contaminant level goal (MCLC) for contaminants known or likely to be carcinogens at a level other than zero in some circumstances. MCLGs are concentration levels below which there is thought to be no adverse effect on human health. Under current law, the maximum contaminant level (MCL) is an enforceable standard that is set as close to the MCLG as EPA determines is feasible. Current law requires MCLGs for known or likely carcinogens to be set at zero.

Third, the bill would give EPA the authority to set MCLs at a level other than the feasible level if using the feasible level would increase the health risks from other contaminants. If EPA uses this authority, it must set the MCL at a level that minimizes the overall health risk. Current law does not allow EPA to consider the effect of new regulations on the concentration of contaminants that are already regulated.

Fourth, the bill would require that EPA conduct a cost-benefit analysis for national primary drinking water regulations before they are proposed. The bill also would require EPA, when proposing a maximum contaminant level, to publish a determination as to whether the benefits of the proposed MCL justify the costs of complying with it. EPA would be given the discretionary authority to establish less stringent standards when it determines that the benefits of an MCL set at the feasible level would not justify the cost of compliance or when it determines that the contaminant occurs almost exclusively in small systems. If EPA uses this discretionary authority, it would have to set the MCL at a level that maximizes health risk reduction at a cost justified by the benefits. While current law requires EPA to perform cost/benefit analyses of new regulations, it does not give the agency the discretion to use those analyses as justification for changing the standards contained in new regulations. These last three changes in current law would give EPA greater discretion to set less stringent standards in future regulations. Any use of that discretion would lower the cost of compliance for public water systems.

Finally, the bill would establish an MCL for radon and would set specific requirements for regulations governing arsenic and sulfates in drinking water. The impact of these provisions on state and local government budgets is difficult to gauge, since EPA has not yet written final regulations for these contaminants. The bill would require the EPA Administrator to issue an MCL for radon of 3,000 picocuries per liter of water (pCi/Lwater). The impact of this change is difficult to assess because the MCL for radon under current law has not yet been determined. EPA has issued a draft MCL of 300 pCi/Lwater, and agency officials estimate that public drinking water systems serving 17 million people would be required to treat water for radon at that level. Under the higher MCL in the bill, systems serving fewer than 1 million people would have to treat for radon. Without a clear indication of the MCLs EPA would establish for other substances under current law, CBO has no sound basis for estimating the possible savings that would result from these provisions.

Monitoring

Section 19 would change monitoring requirements for local water systems in ways that probably would lower compliance costs. First, it would allow the EPA Administrator to waive monitoring requirements for states under certain conditions. Second, it would allow states with primary enforcement responsibility to establish alternative monitoring requirements for some national drinking water regulations. Alternative requirements could apply to all or just some public water systems in the state. Third, this section would give states with primary enforcement responsibility separate authority to establish alternate monitoring requirements specifically for small systems. Fourth, under ''representative monitoring plans'' developed by the states, small and medium water systems would probably monitor for unregulated contaminants less frequently than they would under current law. Finally, this section would direct the EPA Administration to pay the reasonable costs of testing and analysis that small systems incur by carrying out the representative monitoring plans.

Compliance period, exemptions, and variances

Section 11 would change the date that primary drinking water regulations become effective from eighteen months to three years after the date of promulgation, unless the EPA Administrator determines that an earlier date is practicable. This change would give water systems more time to install new equipment or take other steps necessary to come into compliance with the new regulation.

Section 13 would ease the conditions under which a state with primary enforcement responsibility may grant exemptions from primary drinking water regulations. Exemptions are currently given to water systems that, because of ''compelling factors,'' cannot comply with national drinking water regulations. These exemptions must be accompanied by a schedule that indicates when the system will come into compliance with the regulation. This section would specifically provide that a system serving a disadvantaged community may be eligible for an exemption.

Section 14 of the bill would set out conditions under which small systems could be granted variances from complying with primary drinking water regulations. Variances are currently given to water systems that, because of the quality of their raw water sources, cannot comply with regulations, even after applying the best technology or treatment technique. This section would broaden the qualifying criteria for small water systems, increasing the likelihood that they would be granted variances.

NEW REQUIREMENTS THAT WOULD INCREASE COSTS

Conditions of primary

Several sections of the bill would increase the responsibilities of states only if they choose to accept primary enforcement responsibility for national drinking water regulations. Every state except Wyoming currently has primary enforcement authority. Specifically, primacy states would have to set up new procedures to review applications for variances submitted by small systems and ensure that systems remain eligible for any variances granted. They would also have to establish requirements for the training and certification of operators of public water systems. Beginning in fiscal year 1997, they would have to prepare an annual report for EPA on violations of national primary drinking water regulations committed by their public water systems. Primacy states would also have to consider and act upon consolidation proposals from public water systems.

These new requirements would entail some costs for primacy states. Based on information from state drinking water officials, CBO believes that if all funds authorized are subsequently appropriated, states would probably receive enough money to pay for these additional requirements.

Procedures for small systems

Some provisions of this bill would require all states, whether or not they have accepted primary enforcement responsibility, to institute new procedures that would benefit some water systems. These requirements could impose significant additional costs on the states themselves. For example, section 19 of the bill would require each state to develop a ''representative monitoring plan'' to assess the occurrence of unregulated contaminants in small water systems. Under these plans, only a representative sample of small water systems in each state would be required to monitor for unregulated contaminants. Current law requires all systems to do such monitoring. While these plans could reduce the cost of monitoring for most small systems, they would require extra effort by the states. Based on information from a number of state drinking water officials, CBO believes that if all funds authorized are later appropriated, the states would probably receive enough funding to pay for any additional costs.

Section 15 of the bill would require each state to take certain actions to ensure that public water systems in the state develop the technical, managerial, and financial capacity to comply with drinking water regulations. States would have to prepare a ''capacity development strategy'' for small water systems as well as a list of systems that have not complied with drinking water regulations. In some circumstances, states would be allowed to spend money from their annual SRF capitalization grant to pay for developing and implementing their strategy.

Recordkeeping and notification

The bill includes other provisions that might lead to additional recordkeeping and reporting responsibilities for states and for public water systems. Section 4 would allow the Administrator of the Environmental Protection Agency to require states and localities to submit monitoring data and other information necessary for developing studies, work plans, or national primary drinking water regulations. This section could increase reporting costs for state and local governments, but on balance the bill would

likely result in a significant decrease in overall monitoring requirements and costs.

Section 20 of the bill would substitute more specific legislative requirements for current regulations governing how water systems notify customers of violations of national primary drinking water regulations. For example, this section would add a new requirement that community water systems notify customers of violations by mail. These requirements might result in increased costs for local governments.

Definition of public water system

Section 24 would change the definition of ''public water system'' to include systems that provide water for residential use through ''other constructed conveyances.'' This change would make drinking water regulations applicable to some irrigation districts that currently supply water to residential customers by means other than pipes. Districts would not fall under the new definition if alternative water is being provided for residential uses or if the water provided for residential uses is being treated by the provider, a pass-through entity, or the user. Those districts that fall under the new definition could face increased costs for treatment or for providing an alternative water supply.

CBO is still gathering information on the number of districts that would be affected by this change; however, we believe that because most of the water supplied by these districts is for agricultural uses, the amount of water that they would need to treat would be a small fraction of the water they supply. Furthermore, the bill would allow districts to make residential users of their water responsible for treatment or for obtaining an alternative water supply.

AUTHORIZATIONS OF APPROPRIATIONS

The bill would authorize the appropriation of over $9.9 billion for state and local governments over fiscal years 1996 to 2203. The largest authorization would be $8.0 billion for the creation of state revolving loan funds (SRFs). In addition, the bill would make available for spending $225 million that was appropriated for the revolving funds in fiscal years 1994 and 1995. If the authorized funds are appropriated, these SRFs would be a significant new source of low-cost infrastructure financing for many public water supply systems. The bill would give states the flexibility to transfer capitalization grant funds between the new safe drinking water SRFs and the SRFs established by the Clean Water Act for financing wastewater treatment facilities.

The bill would also extend the authorization for grants to the states for public water system supervision (PWSS) programs through fiscal year 2003 at $100 million per year and in some situations would allow states to supplement their PWSS grant by reserving an equal amount from their annual SRF capitalization grant. The PWSS programs implement the Safe Drinking Water Act at the state level through enforcement, staff training, data management, sanitary surveys, and certification of testing laboratories. The fiscal year 1995 appropriation for PWSS grants totaled $70 million. Both EPA and the Association of State Drinking Water Administrators have found this level of funding to be inadequate to meet the requirements of current law.

The bill would also allow the District of Columbia, Arlington County, Virginia, and Falls Church, Virginia to enter into agreements to pay the Army Corps of Engineers to modernize the Washington Aqueduct. The Corps estimates that the modernization would cost about $275 million in 1995 dollars and would take around seven years to complete. The terms of the agreements are subject to negotiation, but it is likely that payment of principal and interest would begin within two or three years and would be spread out over thirty years. The three localities would raise the necessary funds by increasing the water rates paid by their customers. The localities' respective shares of the costs would be roughly as follows: District of Columbia (75 percent), Arlington County (15 percent), and Falls Church (10 percent).

9. Estimate comparison: None.

10. Previous CBO estimate: None.

11. Estimate prepared by: Federal Cost Estimate: Kim Cawley and Stephanie Weiner. State and Local Government Cost Estimate: Pepper Santalucia.

12. Estimate approved by: Paul N. Van de Water, Assistant Director for Budget Analysis.

Mr. KEMPTHORNE. Mr. President, I can state, based on that letter from the Congressional Budget Office, that there are no new unfunded Federal mandates, and, in fact, as they pointed out, we will significantly reduce the cost to the local and State governments based on the legislation, S. 1316.

Again, I think it is important to note that while that act does not go into effect until January 1, we are complying with it today. And that is as it should be.

Another point I would like to make is the fact that I think our State and local officials have made it very clear that one of their most important responsibilities to their constituents is to assure their constituents that their drinking water is safe and it is affordable. Therefore, on many, many occasions during the course of the crafting of this legislation, a coalition representing the State and local governments, the different entities that provide the waters to different customers were part of the discussions. I ask unanimous consent to have printed in the RECORD a series of letters, letters from the National Governors' Association, the National Association of Counties, the National Conference of State Legislators, National League of Cities, U.S. Conference of Mayors, and a variety of other organizations, pointing out their strong support for this legislation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL GOVERNORS' ASSOCIATION,
NATIONAL ASSOCIATION OF COUNTIES, NATIONAL CONFERENCE OF STATE LEGISLATURES, NATIONAL LEAGUE OF CITIES, U.S. CONFERENCE OF MAYORS,

November 9, 1995.

Hon. DIRK KEMPTHORNE,
U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR KEMPTHORNE: As elected representatives of state and local government, we are writing to express our strong support for S. 1316, the Safe Drinking Water Act Amendments of 1995, as it was reported by the Committee on Environment and Public Works. We ask for your help in passing this legislation into law without extraneous or substantive amendments. As you know, EPA has indicated that the drinking water law is broken and that reform of the statute is a top priority. Collectively our organizations agree that reform of this program is of critical importance, and we have made such reform our highest collective priority for this year. In many respects, the current law is unfocused, arbitrary, and imposes unacceptable costs on our citizens without appreciable benefits. S. 1316 makes important improvements in the law and deserves your support.

As a bottom line, S. 1316 makes the drinking water program more effective in protecting public health. In her September 27 letter to Senator Baucus, EPA Administrator Browner outlined her views on what a new drinking water law should do. We believe S. 1316 satisfies those concerns. In particular, this bill:

Helps prevent contamination of drinking water supplies by creating the first framework for water suppliers to work in partnership with those whose activities affect water supplies.

Provides assistance to help build the financial, managerial, and technical capacity of drinking water systems.

Assures that drinking water standards address the highest risks by directing EPA to set priorities and to establish standards for contaminants that occur in drinking water.

Allows EPA to consider both costs and benefits in developing new drinking water regulations, as EPA has recommended.

Provides much needed funds to help communities improve drinking water facilities.

Finally, but not least important, the bill addresses the problems of many of our smaller communities by requiring EPA to identify appropriate health-protective technologies for small water systems.

The bill represents countless hours of negotiation and compromise among the various interests, including EPA. While no party gets all that they want from such a process, the final product is balanced and reasonable.

We are concerned about two amendments that may be offered on the floor. One would require all water systems to report on contaminants found in the water at levels that do not violate the federal standards. The bill as drafted and current law require reporting and public notification when a standard is breached. In addition, water systems will be required to report on monitoring for unregulated contaminants in order to provide EPA with data on occurrence. States already have authority to require additional reporting, and some do. We support those provisions. However, additional mandatory reporting would be burdensome and serve no good purpose, and we cannot support them.

A second amendment may be offered allowing EPA to avoid analysis and public comment requirements when EPA declares an urgent threat to public health. The bill as drafted, combined with provisions of existing law, allows EPA to react quickly to protect the public in the event of an urgent threat. The authorities for quick action include the emergency powers, urgent threat to public health, and public notification requirements of the current law and this bill. Faced with an urgent threat, the Administrator can—and must—act quickly to protect the public. Moreover, all Governors also have authority to take emergency action to protect public health. However, even the quickest action should not be blind with respect to good science, the costs and benefits of that action, or the effect of that action on other contaminants.

We have seen no evidence that the analysis required by S. 1316 would slow EPA's response to an urgent threat, while the chance of mistakes dramatically increases when action is taken in haste. The cost of such mistakes can be very high, and could include costs of over-reaction, under-reaction, addressing the wrong risk, or addressing a risk

in the wrong way. Those are the very mistakes that the analysis required by the bill is designed to avoid. The EPA should not take shortcuts even when quick action is needed, and the public and the regulated community should have the right to see EPA's analysis before standards are proposed.

We hope you understand how important this bill is to state and local governments and to the citizens we represent, and hope you will help move this bill to final passage.

Sincerely,

Governor FIFE SYMINGTON,
Chair, Committee on Natural Resources.
Governor GEORGE V. VOINOVICH,
Lead Governor on Federalism.
Governor E. BENJAMIN NELSON,
Vice Chair, Committee on Natural Resources.
DOUGLAS R. BOVIN,
President, National Association of Counties.

OFFICE OF THE MAYOR,
CITY OF CHICAGO,
November 2, 1995.

Hon. DIRK KEMPTHORNE,
Chairman, Senate Committee on Environment and Public Works, Subcommittee on Drinking Water, Fisheries, and Wildlife, Dirksen Senate Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to express my support of your Safe Drinking Water Act reauthorization bill (S. 1316).

As you know, the City of Chicago like other local governments, is plagued by unfunded federal mandates, many of which stem from the Safe Drinking Water Act. Current law makes blanket assumptions about the threats and conditions facing municipalities and issues the same rules for every city regardless of its unique circumstances. As a result, Chicago has spent a significant amount of time and money to comply with mandates that do not reflect the concerns of its water system. These mandates are consuming resources that our budget will not allow us to spend unwisely, and our citizens should not be saddled with unnecessary increases in the price they pay for safe drinking water.

In an effort to conserve our scarce resources, I have been actively involved in the fight to reduce the burden of unfunded federal mandates on local governments. The standard setting process for safe drinking water is an issue that I strongly believe needs improvement. I am pleased to see that your bill addresses this issue by directing the EPA to set drinking water priorities and to set standards for contaminants that are present in our water. I also commend you for recognizing the need for a cost-benefit analysis in setting these drinking water standards.

Your bill will enable the City to use its resources more efficiently and will allow the Water Department to take more effective steps to guard against contamination that may pose a real risk to the citizens of Chicago. For these reasons, I thank you not only for your insight but also for your leadership on this important piece of legislation.

Sincerely,

RICHARD M. DALEY,
Mayor.

CALIFORNIA WATER SERVICE CO.,
San Jose, CA, October 20, 1995.

Hon. DIANNE FEINSTEIN,
U.S. Senate, Senate Hart Office Building, Washington, DC.

DEAR SENATOR FEINSTEIN: As you may know, on October 12, a bipartisan group of Senators introduced S. 1316, the Safe Drinking Water Act Amendments of 1995. I urge you to lend your support to this important bill by signing on as cosponsor.

S. 1316 adds needed flexibility to the Safe Drinking Water Act (the Act) while preserving the Act's strong public health protections. It improves the method for choosing and setting drinking water standards; encourages states to prevent the formation of—and consolidate—nonviable water systems (which are responsible for the vast majority of water quality violations); places greater emphasis on source water protection; and directs EPA to place a priority on research into cryptosporidium and at risk subpopulations.

These reforms are badly needed. Without them, Californians face considerable incremental increases in their water bills over the next few years without concomitant increase in public health protections. For example, it would cost an estimated $500 million for San Francisco to build a filtration plant to treat one of the most pristine water supplies in the world. California consumers would pay between $3 and $4 billion in up front costs and about $600 million annually to comply with the proposed radon regulation if adopted unchanged. Yet merely by opening the window, they will be exposed to higher levels of radon.

Nationwide, water utilities have spent billions of dollars a year to ensure the safety of their customers' supply. Large expenditures life these were made even before passage of the Act in 1974 and will continue to be made with or without changes to it. However, with the outlook for retail water costs in California increasing, additional treatment costs should not be imposed on our customers unless they are necessary to enhance public health protections.

The California Water Service Company is the State's largest investor-owned water utility serving 1.5 million people in 38 communities around California. On their behalf, I appreciate your interest in this issue.

Sincerely,

DONALD L. HOUCK,
President.

ST. LOUIS COUNTY WATER CO.,
St. Louis, MO, October 24, 1995.

Attention: Tracy Henke.
Hon. KIT BOND,
U.S. Senate,
Washington, DC.

DEAR SENATOR BOND: Senator Kempthorne recently introduced The Safe Drinking Water Act Amendments of 1995, (S. 1316), which already has received bipartisan support from many of your colleagues. Last week Gurnie Gunter of the Kansas City Water Department provided testimony before the Senate Committee on Environment and Public Works in support of this legislation. I agree with Gurnie, as do most of the water utility people I know.

This legislation represents significant improvement over current law, would ensure increased protection of public health, and clearly represents the consensus reached only after long hours of deliberations. S. 1316 would target high risk contaminants, require the use of better scientific analysis, and target funds to much needed research. Furthermore, the bill would repeal unnecessary monitoring requirements and other wasteful SDWA provisions which drain funds from real public health protection.

The bill has been endorsed by associations representing state and local elected officials all across the country, and contains many provisions which the EPA has been advocating in a SDWA reauthorization.

For these reasons, I encourage you to cosponsor this important reauthorization bill. I would also like to make my staff available to your staff should clarification be needed in the technical areas of the bill.

I appreciate your attention to this matter, and look forward to hearing from you.

Sincerely,

A. M. TINKEY,
President.

OCTOBER 24, 1995.

Hon. DIRK KEMPTHORNE,
Chairman, Subcommittee on Drinking Water, Fisheries, and Wildlife, Environment and Public Works Committee, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The undersigned agricultural and agribusiness organizations are pleased to comment on S. 1316, the Safe Drinking Water Act Amendments of 1995, and in particular Section 17, ''Source Water Quality Protection Partnerships.'' The petition program in Section 17, which Subcommittee Chairman Dirk Kempthorne took the lead in crafting, successfully builds on a similar provision authored in the last congress by Senators John Warner and Kent Conrad, and adopted by the Senate. We certainly appreciate your efforts to resolve agricultural concerns during development of the Section 17 language. If implemented as envisioned, this petition program contains the foundation for voluntary partnerships involving state and local governments and agriculture.

Importantly, the new petition program is *not* intended to create new bureaucracies, a mini-Clean Water Act, or a new layer of regulatory mandates imposed on farmers and other stakeholders. Section 17 avoids a heavy-handed, ''top down'' regulatory approach in which economic viability is ignored and farmers could become victims. Instead, States have the option of establishing a petition program. States may respond to petitions where appropriate by facilitating locally developed, voluntary partnerships through technical assistance and financial incentives available under existing water quality, farm bill and other programs, plus funds from the new drinking water SRF as provided for in S. 1316. The petition process is a common-sense, problem-solving approach which offers farmers and other stakeholders the opportunity to work with their local communities as partners. There are a growing number of success stories in which local communities and farmers are already working together in voluntary partnerships to resolve drinking water problems.

We look forward to working with members of the Committee and the Senate in ensuring that the petition process in S. 1316 maintains its voluntary and problem-solving objectives.

Sincerely,

Agricultural Retailers Association.
American Association of Nurserymen.
American Farm Bureau Federation.
American Feed Industry Association.
American Sheep Industry Association.
American Soybean Association.
Equipment Manufacturers Institute.
Farmland Industries, Inc.
National Association of Conservation Districts.
National Association of Wheat Growers.
National Association of State Departments of Agriculture.
National Cattlemen's Association.
National Cotton Council.
National Council of Farmer Cooperatives.

National Grange.
National Pork Producers Council.
National Potato Council.

AMERICAN FARM BUREAU FEDERATION,
Washington, DC, October 13, 1995.

Hon. DIRK KEMPTHORNE,
U.S. Senate,
Washington, DC.

DEAR SENATOR: The American Farm Bureau Federation would like to take this opportunity to thank you for your strong support of agriculture in developing the source water protection provisions in the Kempthorne/Chafee Safe Drinking Water Act reauthorization bill.

Farm Bureau supports the incorporation of a voluntary sources water provision in the Safe Drinking Water Act. Your petition program will establish these voluntary partnerships between state and local governments, helping agriculture create a positive approach for solve water quality problems. An important aspect of this program is that it does not create new regulations or bureaucracies. Rather it provides a means for a community or water supplier who is experiencing water quality trouble to solve the problem with the help of stakeholders using programs and resources that are currently available under existing laws. This is a very practical solution in addressing water quality needs.

We thank you and your staff again for your leadership and responsiveness in addressing this issue.

Sincerely,

RICHARD W. NEWPHER,
Executive Director,
Washington Office.

UNITED WATER DELAWARE,
Wilmington, DE, October 13, 1995.

Senator DIRK KEMPTHORNE,
Chairman, Senate Drinking Water, Fisheries, and Wildlife Subcommittee, Dirksen Building, Washington, DC.

HON. SENATOR KEMPTHORNE: As Manager of United Water Delaware, I am writing to support your proposed Safe Drinking Water Act Amendments of 1995. As purveyor of water to some 100,000 people in the Wilmington, DE area, the re-authorization of the Safe Drinking Water Act is very important to me and UWD's customers in Delaware and Pennsylvania.

I feel that this bill will renew the partnership between the water purveyors and the State; re-establish confidence in EPA; and help make safe, adequate water supplies available to all Americans.

Very truly yours,

ROBERT P. WALKER,
Manager.

OFFICE OF THE MAYOR,
Rutland, VT, October 23, 1995.

Hon. DIRK KEMPTHORNE,
U.S. Senate,
Washington, DC.

SENATOR KEMPTHORNE: Thank you once again for your most successful efforts to craft a bipartisan set of amendments to the Safe Drinking Water Act. Thank you also for giving me, the NLC and NACO an opportunity to offer testimony last week.

A great many people have worked for years to strengthen the protection of public health through the Safe Drinking Water Act. As someone who is on the front line of this fight. I want you to know how deeply your leadership and legislative craftsmanship are appreciated. Put bluntly, in the current political climate, it could not have been without you.

I am now confident that this Congress will enact amendments that will protect both the taxpayer's wallets and the public health. Please share my sentiments with Meg and everyone on your staff who contributed to this remarkable effort.

Sincerely,

JEFF WENNBERG,
Mayor of Rutland.

ALABAMA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT,
Montgomery, AL, October 25, 1995.

Re: Senate bill 1316.

Hon. RICHARD SHELBY,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR SHELBY. As you are aware, hearings were held on Senate Bill 1316, reauthorization of the Safe Drinking Water Act, on October 19, 1995.

Staff of the Department have reviewed this bill and previously provided input through the National Governor's Association and the Association of State Drinking Water Administrators noting our satisfaction with the language as presented. Lack of flexibility properly administer the Safe Drinking Water Program has caused water systems in Alabama to spend excessively on monitoring without an associated increase in public health protection. The passage of reauthorization will greatly benefit the water systems of Alabama and not only provide a safer quality of drinking water but a better environment for our citizens. I urge you to co-sponsor this bill and provide support for its passage.

Sincerely,

JAMES W. WARR,
Acting Director.

TULSA METROPOLITAN
UTILITIES AUTHORITY,
Tulsa, OK, November 1, 1995.

Hon. JAMES M. INHOFE,
U.S. Senate,
Washington, DC.

DEAR SENATOR INHOFE: On behalf of the Tulsa Metropolitan Utility Authority, I am writing to thank you for your cosponsorship of S. 1316, the Safe Drinking Water Act Amendments of 1995. We feel that S. 1316 is a significant improvement over current law in that it increases the likelihood that contaminants of real concern to the public will be addressed. We feel S. 1316 will achieve this goal by doing the following:

Using solid science as a standard setting basis;

Authorizing adequate funding for health effects research;

Securing the publics right to know;

Establishing a reasonable compliance time frame;

Ensuring that drinking water standards address the highest priorities for risk reduction;

Setting up a framework and authorizing funds for source water protection partnerships.

By supporting this bill, we recognize you are focusing your attention as well as the state of Oklahoma's attention on public health protection. Water quality is important to us all; consequently, we feel that S. 1316 is a step in the right direction to achieving better drinking water. We ask that you continue your support of S. 1316 and the pursuit of other supporters for the improvement of drinking water. We truly believe S. 1316 will not only benefit the water quality of Tulsa and the State of Oklahoma, but it will also benefit the water quality of the entire country.

Thank you again for your support and continued pursuit of this matter.

Sincerely,

SANDRA ALEXANDER,
Chairman.

TULSA METROPOLITAN
UTILITY AUTHORITY,
November 1, 1995.

Hon. DON NICKLES,
U.S. Senate,
Washington, DC.

DEAR SENATOR NICKLES: On behalf of the Tulsa Metropolitan Utility Authority, I am writing to ask for your support of S. 1316, the Safe Drinking Water Act Amendments of 1995. By supporting this bill, you would be focusing your attention as well as the state of Oklahoma's attention on public health protection. We here at the TMUA support S. 1316 and believe it represents a significant improvement over current law by increasing the likelihood that contaminants of real concern to the public will be addressed. We believe it would do this by achieving the following:

Ensuring that drinking water standards address the highest priorities for risk reduction;

Utilizing solid science as a basis for standard setting;

Authorizing adequate funding for health effects research;

Securing the publics right-to-know;

Establishing a reasonable compliance timeframe;

Setting up a framework and authorizing funds for source water protection partnerships.

Water quality is of utmost importance to us, and we feel that the current bill up for approval by the Senate meets the current water quality needs in an adequate manner. We would greatly appreciate your support on S. 1316 and hope you will continue to pursue what is best for Oklahoma.

Thank you for your consideration on this matter.

Sincerely,

SANDRA ALEXANDER,
Chairman.

ASSOCIATION OF METROPOLITAN
WATER AGENCIES,
Washington, DC, November 15, 1995.

Hon. DIRK KEMPTHORNE,
U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR KEMPTHORNE: On behalf of the Association of Metropolitan Water Agencies (AMWA), I would like to urge you to support S. 1316, the Safe Drinking Water Act Amendments of 1995. The bill, which makes essential reforms to the nation's drinking water law, was developed through a bipartisan effort and has the backing of the major drinking water supply organizations as well as State and local governments.

S. 1316 improves the current statute in several meaningful ways. The bill establishes a rational approach to selecting contaminants for future regulation, greatly improves the scientific bases for establishing maximum contaminant levels, and modifies the existing mechanism for setting standards by providing EPA with the discretion to apply a benefit-cost justification under certain circumstances. In addition, the bill allows EPA to balance risks when considering the development of standards and applies this risk balancing authority to regulation of disinfectants, disinfection by-products and microbial contaminants. The risk trade-off authority is particularly important given the public health and cost implications of controlling contaminants whose treatment, by its very nature, may result in unintended increased public health risks.

AMWA also urges you to support passage of S. 1316 without significant amendments. The bill contains many compromises that continues the Act's focus on public health protection but also addresses many problems with the statute from a variety of perspectives. Amendments that shift this balance could serve to undermine the bill's support.

We urge you to support S. 1316.

Thank you for your consideration of this very important matter. If you need any additional information or have any questions, please do not hesitate to give me a call.

Sincerely,

DIANE VANDE HEI,
Executive Director.

CITIZENS UTILITIES,
Sun City, AZ, November 6, 1995.

Hon. JOHN KYL,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR KYL: I am writing on behalf of Citizens Utilities Company (''Citizens'') regarding proposed legislation, Senator Kempthorne recently introduced the Safe Drinking Water Act Amendments of 1995 (S. 1316) which already has received bipartisan support from many of your colleagues. Citizens strongly supports this reauthorization bill.

In the state of Arizona, Citizens provides water and wastewater utility services to approximately 105,000 customers in Maricopa, Mohave, and Santa Cruz Counties. We are the largest contiguous investor-owned water/wastewater utility company in the State of Arizona. Among our service areas are the world-renowned, master-planned retirement communities of Sun City, Sun City West, and Del Webb's newest project, Sun City Grand.

This legislation represents significant improvement over current law, would ensure increased protection of public health, and clearly represents the consensus reached only after long hours of deliberations. S. 1316 would target high risk contaminants, require the use of better scientific analysis, and target funds to much needed research. Furthermore, the bill would repeal unnecessary monitoring requirements and other wasteful SDWA provisions which drain funds from real public health protection.

The bill has been endorsed by associations representing state and local elected officials all across the country, and it contains many provisions which the EPA has been advocating in an SDWA reauthorization.

Thank you for your consideration of the foregoing information. I look forward to hearing from you regarding this important piece of legislation.

Very truly yours,

FRED L. KRIESS, Jr.,
General Manager.

ILLINOIS-AMERICAN WATER CO.,
Belleville, IL, October 18, 1995.

Hon. CAROL MOSELEY-BRAUN,
U.S. Senate, Hart Senate Office Building,
Washington, DC.

DEAR SENATOR MOSELEY-BRAUN: I am writing to urge you to cosponsor S. 1316, the Safe Drinking Water Act Amendments of 1995. The bipartisan bill was introduced by Senator Kempthorne with 23 cosponsors including Senator Dole (Majority Leader) and Senator Daschle (Minority Leader).

As the guardian of safe drinking water in Pekin, Peoria, Alton, East St. Louis, Belleville, Granite City and Cairo, Illinois-American Water Company believes S. 1316 is a major step forward in the direction of better public health; safer drinking water; and more responsive government. The reforms contained in this bill represent a common sense solution that supports both environmental protection and regulatory reform.

S. 1316 strengthens the scientific basis for establishing drinking water standards; targets regulatory resources towards greater public health risks and away from trivial risks; establishes a stable, forward-looking framework for addressing longer term drinking water issues; funds new mandates while reducing existing mandates that don't work; establishes a source water protection program; provides authorization for a drinking water state revolving fund; and provides for an improved federal-state partnership.

S. 1316 is supported by national organizations representing governors, mayors, other state and local elected officials, state drinking water regulators, and public water suppliers—virtually all those responsible for assuring the safety of America's drinking water.

It is important that we focus our resources on the overall interest of the public and not simply react to political rhetoric.

Thank you for your time and consideration. If we can provide additional information for you please contact us.

Sincerely,

RAY LEE, *President.*

BRIDGEPORT HYDRAULIC CO.,
Bridgeport, CT., October 13, 1995.

Hon. CHRISTOPHER J. DODD,
U.S. Senate, Senate Russell Office Building,
Washington, DC.

DEAR SENATOR DODD: We understand that on October 12, 1995, Senators Kempthorne and Chafee introduced S. 1316, ''The Safe Drinking Water Act Amendments of 1995.'' This bill has bi-partisan support from the leadership of both parties in the Senate and has been endorsed by members of the Safe Drinking Water Act Coalition, which represents state and local governments and public water suppliers.

S. 1316 makes substantial improvements in the current law, particularly how contaminants will be selected for regulation and requiring a cost benefit analysis for risk assessment. We believe when enacted, S. 1316 will help provide American consumers with safe, high-quality water at a reasonable price.

Since this bill will provide reasonable, risk reducing water regulations, we urge you to become one of its co-sponsors. Thanks for your consideration.

Sincerely,

LARRY L. BINGAMAN,
Vice President,
Corporate Relations and Secretary.

IDAHO RURAL WATER ASSOCIATION,
Lewiston, ID, March 13, 1995.

Hon. DIRK KEMPTHORNE,
U.S. Senate,
Washington, DC.

DEAR SENATOR KEMPTHORNE: On behalf of over 187 rural and small communities in Idaho, we want to thank you for your commitment to pass a revised Safe Drinking Water Act (SDWA).

The federal Safe Drinking Water Act has proven to be one of the most expensive and most arbitrary federal mandates that has been placed on rural communities. All water systems small and large must follow the same ONE-SIZE-FITS-ALL federal requirements regardless of the history and/or previously tested quality of their water.

We urge you to pass the SDWA that corrects the over regulation of small and rural communities. No one is more concerned about ensuring public health protection than rural communities with water systems, but specific changes need to be made to make the law workable.

For a bill to benefit small and rural communities, the Safe Drinking Water Act should:

1. Provide small communities with increased technical assistance. This is what works in the field to help small systems with the mandates. Small systems have the most difficulty complying with the SDWA because of limited budgets and big system requirements. Through the thick and thin of the federal SDWA regulations, small and rural systems have relied on their state rural technical assistance program to help each other try to meet these ever increasing mandates. This program needs to be strengthened.

2. No more federal regulation requirements. The revised law should not include new requirements because EPA cannot even manage the existing requirements. Viability, or the way a system operates in order to meet standards, should not be subject to federal regulatory definition. Our state can manage its small systems. Rural consumers have to pay for all the good ideas that come out of Washington. Giving the federal bureaucracy authority over determining the criteria for management and operations of local municipal water systems will only increase burden on water operators and local elected officials.

3. Urgent-Monitoring relief. We estimate that 20 to 25 percent of Idaho's small communities did not utilize the 1993 Chafee Lautenberg monitoring relief and therefore will have to complete four samples of Phase II/V monitoring in 1995. Please extend this one-test relief provision.

4. The enclosed signatures were gathered during the Idaho Rural Water Association's annual meeting. The 54 names on the petition represent approximately 140,992 citizens of small rural communities in Idaho. They support the above mentioned three items. They also appreciate your effort to pass a revised SDWA that is fair and workable and provides them the opportunity to provide clean, safe, affordable drinking water to their citizens.

Sincerely,

KENNETH GORTSEMA, *President.*

Enclosure.

IDAHO RURAL WATER ASSOCIATION LETTER TO SENATOR KEMPTHORNE—SIGNERS

Roy Cook, Coeur o'Alene, vendor.

Robert Cuber, City of Jerome, (pop. 7,049), water superintendent.

Helen Smith, LOFD Lewiston, (pop. 6,000), board member.

Frank Groseclose, City of Juliaetta, (pop. 500), maintenance supervisor.

Jeanette Turner, Clarkia, (pop. 70), director/secretary.

Fred Turner, Clarkia, (pop. 70), maintenance.

Robert L. Luedke Jr., City of Gowesee, (pop. 800), city supervisor.

Jeanette Turner, Clarkia, (pop. 70), board member.

Fred Turner, Clarkia, (pop. 70), maintenance.

Jerry Lewis, Bonner County, (pop. 115), owner.

Roberto J. Lopez, Lapwai, (pop. 250), water maintenance.

Jim Richards, City of Pierce, (pop. 800), maintenance.

Andy Steut, City of Spiritlake, (pop. 1,500), maintenance.

Mark Kriner, Pocatello Idaho, (pop. 60,000), vice president Caribon Acres water.

Ted A. Swanson, Pocatello Idaho, (pop. 60,000), Swanson construction.

Nathan Marvin, City of Weiser, (pop. 4,800), public works superintendent.

Larry Kubick, Fernwood water district, (pop. 450), operator/maintenance/supervisor.

Steve Howerton, City of Kendrick, (pop. 350), maintenance/supervisor.

Kelly Frazier, City of Kooskia, (pop. 700), public works superintendent.

Alvena Gellinos, L.O. irrigation district, (pop. 3,800A.), Billing clerk.

——— ———, City of Lapivai, (pop. 1,000), city clerk.

Daeline Pfaff, Fort Hall (townsite), (pop. 150), board member.

Shelley Ponozzo, L.O.I.D. Lewiston, Id,, (pop. 6,000), accountant/office manager.

Irvin Hardy, Rupert Id., (pop. 5,200), water superintendent.
Bob Paffile, CDA, board member/vice president.
Robert Smith, New Meadows, (pop. 600), water superintendent.
Buzz Hardy, Rapid River water and sewer, (pop. 42), district president.
Paul Stokes, Solmon, Idaho, (pop. 3,000), water treatment.
Steve Kimberling, Orofino ID, (pop. 2,500), water maintenance.
Richard Whiting, City of Victor ID., (pop. 600), water superintendent.
Jim Condit, City of Spirit Lake, (pop. 1,500), water waste water.
Rhonda Wilcox, City of Harrison, (pop. 226), water maintenance.
Phil Tschida, City of Horseshoe Bend, (pop. 720), water maintenance superintendent.
Ed Miller, CSC water district Kellogg, (pop. 3,000), water operator.
Virgil W. Leedy, City of Weiser, (pop. 4,500), water superintendent.
Dan Waldo, Kingston water, (pop. 180), manager.
Todd Zimmermann, Avondale Irrigation District, (pop. 1,700), manager.
Joe Podrabsky, City of Lewiston, (pop. 5,500), water operator.
Ken Rawson, City of Lewiston, (pop. 5,500), water operator.
Mike Curtiss, City of Grangeville, (pop. 3,300), water superintendent.
John Shields, Kootenai county water district, (pop. 170), manager.
Dave Owsley, Dworshak N.F.H., engineer.
Ray Crawford, Winchester, (pop. 380), maintenance.
Rodney Cook, Juliaetta, (pop. 480), maintenance.
Jack Fuest, Culdesac, (pop. 420), maintenance.
Brian Ellison, Troy, (pop. 800), maintenance.
David C. Shears Sr., Cottonwood, (pop. 850), maintenance.
Dave Fuzzell, Cottonwood, (pop. 850), maintenance.
Robert Jones, Lewiston, (pop. 28,000), maintenance.
Renee McMillen, Lewiston, (pop. 28,000), water operator.
Bob Faling, Lewiston, (pop. 28,000), water maintenance.
Lonnie Woodbridge, Arco, (pop. 1,000), maintenance.
Dale W. Anderson, Harwood, (pop. 80), maintenance.
Eugene J. Pfoff, Fort Hall (townsite), maintenance).

Mr. KEMPTHORNE. I remember, Mr. President, on one occasion at a particular meeting somebody who was part of the Federal establishment saying, ''Well, if we do not have the Federal Government absolutely through regulation watch out for everything dealing with safe drinking water, who in the world will?'' It is because of that same Federal mentality—somehow somebody thinks only the Federal Government can be the guardian of the well-being of this country—I remind all of us we are the United States. We are not the Federal Government of America. There are 50 sovereign States that comprise this Union, and those Governors and those legislators and, within those States, those county commissioners and those mayors, they care about their people. If you had a situation in a community where there would be an outbreak of water contamination that would be life threatening, those elected officials would have a serious problem, not only the serious problem of immediately dealing with the life-threatening situation but they also probably would have a political problem because their constituents are not going to allow someone to somehow jeopardize the safety of that water which the children of that community are going to drink.

We have talked about cryptosporidium, the fact that it was not regulated in 1993 when there was an outbreak and 104 people died from that particular outbreak, and yet today cryptosporidium is still not regulated. We are going to change that, and this legislation allows us to improve, therefore, public safety and public health, and we are going to do it at less cost. We are going to provide flexibility to States and local communities, but we are going to then be able to target life-threatening contaminants such as cryptosporidium and go after those contaminants instead of contaminants that pose absolutely no health risk and yet require these communities to spend their finite dollars on expensive monitoring systems. If this is not in keeping with what this Congress is trying to do, I do know what is.

So I am pleased that we do have S. 1316 before us. I am pleased that in the Environment and Public Works Committee all 16 members of that committee, bipartisan, support this legislation, as well as the fact the leadership on both sides of the aisle, the majority leader and the Democratic leader, supports this legislation. We are currently working with some Senators who have proposals, amendments that they are suggesting would improve this particular legislation. We will work with them. I believe that we can resolve that. But again this is another significant step forward in our role as partners with State and local governments, working on behalf of the people of the United States of America.

With that, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. INHOFE). Without objection, it is so ordered.

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that I be allowed to proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ONE MARINE'S WILL TO SURVIVE

Mr. KEMPTHORNE. Mr. President, Lance Cpl. Zachary Mayo, from Osburn, ID, population 2,000, is a marine aboard the U.S.S. *America*. In the early morning hours of November 25, just a couple days ago, he was swept overboard from his assignment on the U.S.S. *America*. The Navy conducted 3 extensive days of searching, utilizing different ships and helicopters to locate Lance Cpl. Mayo. His mother and father had been notified that their son was missing at sea.

I just got off the phone with Mr. Stanley Mayo, the father, who received a call at 4 a.m. this morning that his son is OK. In fact, he spoke with his son. After 36 hours in the water, Zachary was picked up by a Pakistani fishing boat. He has been taken to Pakistan and is now in transit to the United States Embassy and will be returned shortly.

In speaking with his father and learning a little bit about what it must have been like to be swept over and spend 36 hours without a flotation device, he described the survival technique utilized by this tough marine of utilizing the clothing and tying knots in both the sleeves of the uniform jacket, as well as the pants, and creating an air chamber. I think this, again, shows the quality of the people that we have, and this is a testament to a young man's determination to survive—which he did, after 36 hours in I believe the Arabian Sea. Also, it demonstrates the faith of a family that never gave up hope, and all in the Silver Valley were determined that they would receive that good news.

Stanley Mayo told me moments ago that he went to bed last night with the prayer that in the morning he would hear from his son, and that prayer was answered. So I know that all of us rejoice in what will be an outstanding reunion. Stan Mayo said that he cannot remember when he ever had such news that brought him such joy, except perhaps when it was the birth of Zachary. So now to have the news that his son will be returned is something we can all rejoice in.

Again, this is a testament to the ability of our U.S. military personnel and their dedication to survival and carrying out their assignments. Again, I think it is something that we need to make note of. I say to the Mayo family, God bless all of them.

With that, I yield the floor.

Mr. COHEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

A TRIBUTE TO OUR ARMED SERVICES

Mr. COHEN. Mr. President, first let me congratulate my colleague for his very poignant recitation of what took place and join him in congratulating the men and women who serve in the armed services for the kind of dedication and creativity and ingenuity that is involved in preparing themselves for the ultimate conflict they must always be prepared for.

I think his recitation only adds greater credence and compliments the leadership being shown in the armed services and the kinds of people being